

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD

(adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 5 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 6 a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an ecological survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.
- b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 7 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. 42BR/PP/Site; shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

- 8 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 9 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016), and 7.15 of The London Plan 2016.

- 10 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 11 Before the building hereby permitted is first occupied the proposed windows in the flank elevations facing No. 40 Brookhill Road and numbers 1-6 Doggetts Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

12 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

13 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

14 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) with exception of the requirement for an accessibility lift. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

15 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 15% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02

of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 16 The development hereby approved shall not be occupied until the existing access has been closed, the highway reinstated and the new access has been constructed in accordance with the plans submitted to and approved by the Local Planning Authority. The existing redundant crossover(s) is to be reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense. A section 184 licence will need to be obtained from the local highway authority for works on the public highway.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

- 17 Prior to occupation of the development the vehicular access shall allow for 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2m setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including Fencing of planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 18 A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of safeguarding the existing road corridor in accordance with DM17 of the adopted Local Plan (2012)

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 3 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

- 5 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culvert
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 6 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

- 7 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 9 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW , 4-6 weeks before the start of works on the public highways.
- 10 For any proposal for new crossovers or modification to the existing crossovers, a separate crossover/access application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

The applicant is advised that the permitted maximum width for a residential crossover is 4.2 metres.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW

- 11 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the

development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 12 Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

Officer's Assessment

1. Site Description

The proposal relates to a single storey bungalow located on the southern side of Brookhill Road, within the ward of East Barnet. The dwelling sits within a fairly narrow and long plot, with areas of garden to the front and rear of the site. A row of mature trees lies along with the eastern boundary within the adjacent site. There is an existing access of Brookhill Road which provides off-street parking.

The surrounding area is characterised by a variety of residential properties consisting of detached, semi-detached and terrace properties, as well as some flatted developments. The site is bounded by Brookhill Road to the north, three-storey dwellings within Doggetts Close to the East and south and No. 40 Brookhill Road, a two-storey detached dwelling to the west.

The application building is not listed and the site is not located within a designated conservation area.

2. Site History

No previous planning history.

3. Proposal

The proposal seeks the demolition of the existing single-storey dwelling and to construct a three-storey building, with rooms in the roofspace, to provide 7no. self-contained units. The rear would be sub-divided into private and communal gardens. Associated parking is proposed at the front and rear of the site - two parking spaces to the front and four parking spaces to the rear accessed by via Doggetts Close.

Dimensional details of proposed building:

Width: 10.3m (ground floor)	/	6 - 10.5m (above ground floor)
Depth: 17.8 - 18.3m (ground floor)	/	12 - 16.4m (above ground floor)
Eaves Height: 8.3m	/	Ridgeline Height: 11.2m
Stair core Height: 5.75 - 7m		
Footprint Area: 192sqm		

4. Public Consultation

During the applications lifetime, the scheme has been consulted on with the public three times - for the first time on 18 July 2018; the second time on 24 May 2019 (following revision of the proposed plans and additional information); and, the third time on 14 June 2019 (following minor amendment to the proposal description).

Consultation letters were sent to 105 neighbouring properties. 52 responses were received, comprising of 52 letters of objection received from 30 objectors.

The objections received can be summarised as follows:

- Increase in noise pollution
- Increase in disturbance from comings and goings of future occupants of the development
- Increase in air pollution
- Disruption and disturbance during the construction phase
- Insufficient number of parking spaces for the development
- Loss of on street parking and increase in parking pressures locally and
- Increase in illegal parking
- Increase in traffic congestion and accidents
- Rear parking arrangements are not adequate for safe functioning
- A parking survey should be conducted
- Emergency vehicles will not be able to access the road.
- Risk to pedestrian safety in the cul-de-sac, particularly children playing and the elderly, from an increase vehicular congestion
- Overpopulation of East Barnet
- Inappropriate house/unit types that are not family oriented / loss of a family dwelling. There are few if any family sized houses being built / replaced in East Barnet.
- Loss of / harm to landscape
- Loss of/ harm to ecology and biodiversity
- Overlooking and loss of privacy
- Overshadowing and loss of light
- Lack of screening between development and flanking adjacent properties on Doggetts Close
- Out of character and appearance with adjacent dwellings and surrounding street scene
- The development is excessive in size and overbearing and would create a sense of enclosure
- Inability of utilities infrastructure (gas, water, electric and sewer system) to cope with addition units
- The development would prevent management of the trees adjacent to the site
- The development does not accord with adopted policy or guidance
- The development would not address the urban heat island effect internally in respect of air circulation and ceiling heights
- Unclear how residents would access the development from the rear parking area
- Increased surface water flooding from increased hardstanding
- The parking survey method does not accurately depict the local parking stresses as it does not account for people who are residents in the locality and who were away on holiday when the survey was conducted
- The parking survey should identify where the stated 65 spaces were available.
- Illegal parking takes place in Doggetts Close and Brookhill Road, and this development will encourage more illegal parking resulting in damaged pavements and unsafe road conditions
- The development adversely affect the community spirit of the locality
- If approved, the development will set a bad development precedent
- The development will have a negative impact on house prices of the adjacent properties
- The development will result in an overcrowded cul-de-sac

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The

development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable.
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposed development would provide suitable living conditions for the future occupants.
- Whether the proposed development would have adverse impacts on the local highway network and parking within the locality
- Whether the proposed development would have impact on third party trees.
- Flood / River culvert impacts
- Ecology / Protected Species
- Sustainability measures

5.3 Assessment of proposals

Principle of development

The proposal would involve the loss of a single family dwellinghouse to make provision for purpose-built block of flats. A site visit and review of the surrounding area was undertaken and it is considered that the character of the area is varied in terms of housing type, scale and design. In particular, there is a modern flatted development on the opposite side of Brookhill Road, with flats found further along to the east and west of the site. Taking the context of the site into account, it is considered that the introduction of a new flatted development on this site would be acceptable in principle.

Impact on character and appearance of the application site, the street scene and wider locality

The proposed 3 storey building with habitable roofspace replaces a single storey bungalow dwelling, and is acknowledged to be a substantially taller and bulkier built form relative to the existing residential structure that it will replace. Notwithstanding this, it is noted that there is a mixed character within the area in respect of building heights and types. On the opposite side of the road to the north west (approx. 35m from the site) numbers 59-67 Brookhill Road comprise of a terrace three storey mixed use (ground floor commercial use, first and second floor residential uses) buildings; to the north-east (approx. 20m opposite, numbers 77-79 Brookhill Road) lies Ludlow Court, a two/three storey traditional design (a crowned, hipped pitch roof with large fronting gable features facilitating a large habitable roof area) purpose-built block of flats; immediately adjacent to the east/south-east (approx. 10.5m from the dwellings), the site is flanked by properties numbers 1-6 Doggetts Close, a terrace of traditional design (pitched gable ended) properties - all three storeys in height; and, to the south/south-west numbers 7-13 Doggetts Close comprise of the same design and height. The only exceptions in the local design context is No. 40 Brookhill Road - the two storey, traditional designed, neighbouring residential property that flanks the application site to the west / north-west (approx. 5.2m from the main dwelling); and, the Royal British Legion Building to the south-west (approx. 15m) a single storey, utilitarian designed building.

In light of the above, the proposed building is of modern, traditional design, and of a height that is considered to be mostly in keeping with the surrounding design context. Whilst the development does bear little height relationship with No. 40 Brookhill Road, there is a generous buffer space (5.2m) between the actual (not inclusive of the single storey, ancillary garage building) neighbouring building and the proposed building, which combined with the proposed hipped pitch roof, will ensure there is a good degree of visual separation and a sense of subservience between the proposed development and the neighbouring adjacent buildings (No. 40 Brookhill Road and numbers 1-6 Doggetts Close) when viewed from the streetscene on Brookhill Road. When viewed from the rear, the rear projection of the building above the ground floor has been carefully designed - in the interest of protecting neighbouring amenities (assessed later in this report) - with an inset stagger on both sides, producing a more subordinate appearance when viewed from the rear. On the side neighbouring 1-6 Doggetts Close, only the staircore projects 1.4m to the full width extent of the ground floor for a 3.65m deep section for two storeys. With its mono-pitch roof matching the roof pitch angle, this element is considered to appear as a reasonably subordinate and congruent design feature.

The proposed building adheres to the front building line of No. 40 Brookhill Road, although slightly over shoots the end of No. 1 Doggetts Close by 1.5m. As 1-6 Doggetts Close addresses a corner plot, this is not considered to be significantly harmful to the character and appearance of the surrounding context as it will appear as a part of the natural progression of the built urban grain leading into the cul-de-sac of Doggetts Close. In accordance with design policy DM01 of the Local Plan and Section 12 of the NPPF (2019),

the development is considered to optimise the use of land within the plot through the layout of its built form, making suitable provision for a private garden, communal amenity space, and parking provisions to the rear. With the majority of parking spaces (4no. spaces) being sited at the rear, this will avoid the over-cluttering of the front of the site and will allow for meaningful landscaping to the front to satisfactorily enhance and address the street scene. Landscaping will be reserved by a pre-occupation condition.

The fenestration pattern of the development is considered to be satisfactory and in proportion to the scale of the development. The larger windows to the back will not be seen from the primary street scene on Brookhill Road, but only from Doggetts Close to the rear and glimpsed oblique views from the car park of the Royal British Legion and Aldi car parks. As such, the window fenestration is not considered to be harmful to the character and appearance of the proposed building. The external facing materials shall be reserved by condition.

Overall, it is considered that the development will relate well to the wider context of the area, bridging a suitable height and scale relationship with its immediate vicinity, to ensure that it is not a visually obtrusive and overbearing form of development, in accordance with policy DM01 of the adopted Local Plan (2012)

Impact on the Residential Amenities of the Neighbouring Occupiers

As noted in the character and appearance section of this report, the development is considered to be appropriately scaled in size, massing and spacing relative to the context of the surrounding street scape to ensure that it is not a visually obtrusive and overbearing form of development. The stagger of the rear projection will ensure that the two-storey dwelling at No. 40 is not overly subjected to the immediate presence of the building when viewed from its rear facing windows. Whilst it will be visible from the garden space, the staggering will ensure that the overall 8m projection passed the rear elevation of the neighbouring building will not be overly oppressive to the neighbouring occupier, to an extent that would warrant the application's reason for refusal. All other sides of the development are sufficiently spaced from the proposed building by 10m or more.

In order to minimise the matter of overlooking and privacy for the surrounding neighbours, the scheme's flank windows facing 1-6 Doggetts Close all serve transient (stair core) or non-habitable rooms (bathrooms). In order to protect future amenities these windows will be obscure glazed by condition. There is also a line of mature 3rd party trees within the rear gardens of 1-6 Doggetts Close which sit at a similar height to the eaves of the development. This further mitigates the perceived sense of overlooking and loss of privacy from these windows, even though the impact will be neutralised by their obscured glazed and fixed-closed nature (as required by condition 11). On the side neighbouring No. 40 the flank windows will be obscure glazed and fixed shut, as required by condition. Accordingly, there will be no demonstrable overlooking and loss of privacy from the flank windows on this side. On the front elevation of the proposed development, there are no direct lines of sight into neighbouring windows as it faces the junction with Brookhill Close. Nevertheless, the front windows of Ludlow Court, would be positioned at an oblique angle and approximately >25m from the front facing windows of the development. As such, overlooking and a loss of privacy from the front windows would not be demonstrable. The windows on the rear of the development would have a back-to-front (of 7-13 Doggetts Close) distance of >30m. This accords with the adopted Sustainable Design and Construction SPD's (2016) standards which state that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking. The rear windows will be at oblique angles to the

garden and will therefore not result in a direct line of sight for overlooking. The sight line relationship would be consistent with the distances and viewing angles between habitable rooms and garden spaces at other neighbouring properties.

It is acknowledged that the development would result in some overshadowing of the immediate adjacent neighbours at 1-6 Doggetts Close and No. 40 Brookhill Road. In respect of the properties at No. 1-5 Doggetts Close, these already have mature trees that line their rear boundary and will already contribute to an existing level of overshadowing of their gardens in the latter part of the day (afternoon/evening). Given the height of the trees relative to the height of the proposed development, it is considered that the proposed development would not demonstrably add to existing situation to an extent that would warrant the application's reason for refusal on such grounds. In respect of No. 6 Doggetts Close, the end garden features reduced coverage by trees on its rear boundary, but is located furthest away from the development and thus the impacts would be limited - to an extent that would not demonstrably harm the occupiers amenities. There would be overshadowing of the neighbours garden at No. 40 Brookhill Road during the earlier part of the day, but as the garden is south/south-west facing the impact of this is limited and the garden would continue to enjoy a satisfactory level of light, with no demonstrable overshadowing of the property or garden to an extent that would warrant the application's reason for refusal on such grounds. The neighbouring properties opposite to the front and rear of the development are of sufficient distance from the site to not be affected by overshadowing and loss of light.

The development could provide occupancy for between 17 and 19 people, both small families and professionals, which combined with 6no. parking spaces, relative to the size and spacing of the site, would not generate a demonstrably harmful level of comings and goings (resulting from noise and activity) from its future occupants to an extent that would warrant the applications refusal on such grounds.

Quality of living amenity for future occupier

The proposed scheme presents the following residential unit typologies and configurations:

Ground Floor - Flat 1:	71m ² (2 bed, 4 person)	<i>(70sqm Required)</i>
Ground Floor - Flat 2:	76.5m ² (2 bed, 4 person)	<i>(70sqm Required)</i>
First Floor - Flat 3:	53m ² (1 bed, 2 person)	<i>(50sqm Required)</i>
First Floor - Flat 4:	64m ² (2 bed, 3 person)	<i>(61sqm Required)</i>
Second Floor - Flat 5:	61m ² (2 bed, 3 person)	<i>(61sqm Required)</i>
Second Floor - Flat 6:	50m ² (1 bed, 2 person)	<i>(50sqm Required)</i>
Third Floor - Flat 7:	44m ² (1 bed, 1 person)	<i>(37-39sqm Required)</i>

All of the above units provide the requisite amount of Gross Internal Floor Area (GIA) in accordance with the adopted Sustainable Design & Construction SPD (October 2016) and Mayor's London Plan (2016) Housing Standards. All of the bedroom widths are also of the appropriate dimensions (i.e. >2.7m). The maximum ceiling heights across all floors would be 2.4m, falling 0.1m short of the optimum standard, nevertheless this is above the minimum 2.3m standard contained within the adopted Sustainable Design & Construction SPD (October 2016) and Mayor's London Plan (2016) Housing Standards. The Loft unit in particular has a varying ceiling height but provides an area of 33sqm with a ceiling height in excess of 2.4m - equating to 75% of the Gross Internal Floor Area (GIA) being greater than 2.3m, as per adopted Sustainable Design & Construction SPD (October 2016) standards. Overall, given that each of the units provide the requisite Gross Internal Floor Area (GIA) for their stated level of occupation, on balance, it is considered acceptable that

the scheme does not meet the 2.5m optimum ceiling height strived for in the adopted guidance.

Visually, all of the units are single aspect providing a reasonable level of outlook to the front or rear of the development, however, additional windows (although obscure glaze) within the flank elevations of the building provide an additional source of natural light. As such, it is considered that the development would facilitate a satisfactory standard of natural light internally and an acceptable degree of outlook for the future occupiers of the development.

Flat 2 will benefit from 40sqm of private amenity space, with the rest of the units being afforded a communal outdoor amenity area of 95sqm. Across the 18 habitable rooms of all flats (except Flat 2) the communal amenity space provides sufficient outdoor space in accordance with the adopted Sustainable Design & Construction SPD (October 2016) standards (i.e. 5sqm per habitable room - therefore, the requisite amount equates to 90sqm). It is therefore considered that the development will provide a satisfactory level of outdoor amenity space.

Highways / Parking Impacts

The Council's Highways Authority were consulted on the application scheme and advised that whilst the parking layout design to the rear would not typically be accepted, the size and design of off street parking arrangement with particular regard to the crossover is similarly present within the immediate proximity of Brookhill Road. The parking arrangement to the rear of the development will result in the loss of 2.5 spaces, however it is acknowledged that this has been facilitated through illegitimate kerbside parking, rather than clear parking spaces. Notwithstanding this, the development will make provision for 6no. parking spaces which falls with the 6-10 space range required by policy DM17 of the adopted Local Plan Policies (2012) and the development is therefore considered by the Highway Authority to result in minimal overspill parking on the basis of this provision.

The Highway Authority have stated that the proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, and as such a recommendation for approval is supported, subject to conditions requiring further information on bin stores and cycle parking.

The applicant submitted a Parking Stress Survey Report (produced by Alpha Parking, Version No. V01 - dated 17/07/2019) detailing the results of a survey conducted in accordance with the 'Lambeth Methodology'. The survey demonstrated that during the survey period there were *65 unoccupied parking spaces available overnight... this provides capacity for further parking within the area as the average stress percentage is under the indicative level when parking becomes a cause for concern.* The Highways Authority were consulted on this additional information and were satisfied with its findings - thereby raising no significant concerns for parking stresses within the area.

In light of the above, it is considered that the proposed development will not lead to demonstrable unsafe road conditions or undue parking pressures locally, and therefore, will accord with policy DM17 of the adopted Local Plan Policies (2012).

Tree impacts, landscaping and ecology

The Council's Tree Officer was consulted on the application and its arboricultural submissions and has not identified any direct adverse impacts on trees on site or the third-

party trees in the rear gardens of 1-6 Doggetts Close, resulting from the development itself. Notwithstanding this, the Tree Officer has objected on the grounds of the management constraints the development will have on the ability of the owners of 1-6 Doggetts Close to manage the trees identified within their ownership. Given that the trees are not afforded any protection by way of a Tree Preservation Order or Conservation Area, only limited weight can be afforded to this argument as these trees are a third-party issue which are not in ownership of the applicant and are therefore outside the reasonable scope of this planning assessment.

No detailed landscaping plan has been submitted to support the application, however a prior to occupation condition will be recommended to ensure that suitable details of landscaping are submitted to achieve a satisfactory appearance upon the developments completion.

The applicant has not supplied a Preliminary Ecological Appraisal (PEA) / Preliminary Roost Assessment (PRA) to determine the presence of bats on site. Demolition of the bungalow could have an effect on roosting bats if they are present. Consequently, the Council's Ecologist has requested that the necessary PEA / PRA report is carried out by the applicant and submitted for consideration. The Local Planning Authority consider that the existing bungalow is likely to make little provision for the roosting of bats on site given its busy urban location but cannot discount the possibility entirely. Therefore, prior to any demolition or construction works, a detailed assessment report with findings and recommendations from a suitably competent and qualified ecologist, should be submitted to the Local Planning Authority - as a matter reserved by condition.

Flood Risk / River Culvert Impacts

The development is within 8m of a main river line - that being a culvert. Culvert locations are not exactly represented by the main river line, and therefore, due to the uncertainty over the exact location of the culvert at this location it is necessary for the applicant to undertake a survey of the site to ensure that the culvert does not exist beneath it. The applicant has provided a Culvert report accordingly and this was consulted on by the Environment Agency who have advised they:

are satisfied that the culverted Pinns Brook main river falls outside of the property's red line boundary... However please be aware that the proposal is still within the relevant permitting distance and it's possible a culvert survey may be required post development to ensure any new foundations have not affected culvert integrity.

The EA have recommended an informative be attached to the final recommendation which advises that a permit will be required under The Environmental Permitting (England and Wales) Regulations 2016 in order for the applicant to undertake site works close to the river culvert.

In light of the above, the Local Planning Authority are satisfied that the proposed development will not have any adverse impact on the Pymmes Brook culvert, subject to compliance with the recommended informative and therefore raise no concerns on these grounds.

Fire Safety

London Fire and Rescue service have been consulted on the application and have objected on the grounds of insufficient information provided in relation to access and facilities for fire fighters, as set out in Section B5 Approved Document B. This is a Building Regulation matter that is governed by a separate statutory function / remit. Notwithstanding this, the Local Planning Authority is of the view that the concerns raised can be addressed through the application of a suitably worded condition requiring the applicant to submit such details prior to the occupation of the development.

Accessibility and sustainability measures

Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) require new residential schemes to meet Building Regulation requirement M4(2) in respect of accessibility - i.e. the step free access must be provided by means of a lift for dwellings above / below the entrance storey. Notwithstanding this, paragraph 3.48A of the supporting text for the aforementioned policies acknowledges that this requirement has particular implications for developments that are four storeys or less. Accordingly, for these types of developments the London Plan (2016) suggests the requirement of a development-specific viability assessment, whereby consideration should be given to the implication of ongoing maintenance costs on the affordability of service charges for residents. Where such assessments demonstrate that the inclusion of a lift would make the scheme unviable or mean that service charges are not affordable for intended residents, the units above or below the ground floor that cannot provide step free access would only need to satisfy the requirements of M4(1) of the Building Regulations.

The proposed application scheme will not fully comply with the requirements of M4(2), due to the omission of a lift for access to the residential units above the ground floor. The applicant has provided a justification for this omission within their submitted Planning Statement (produced by Orb Property Planning - Updated: 09.06.2019) - reasoning that:

- i) Design Implications - the development is reasonably at its maximum scale and massing, without appearing too cramped for the plot and whilst achieving adequate buffer space between neighbouring buildings. The provision of a lift would increase the height (through the overrun) and width of the proposed building increasing the perceived scale of the development, adversely affecting the development's fit within the street scene and increasing the potential amenity impacts to the neighbouring properties.
- ii) Gross Internal Floor Area (GIA) implications - the size of the development could not facilitate a lift within the envelope of the building as currently proposed, without consequently reducing the Gross Internal Floor Area (GIA) of the residential units. A reduction in GIA would result in substandard sized units that are not reasonably viable, calling for a reduction in the number of units to facilitate it within the existing envelope.
- iii) Affordability implications - it is argued that to provide a lift would have a cost implication for the future occupants of the development in respect of its annual maintenance charges - estimated between £1,500 - £3,000 per annum, provided there are no component failures. Repairs for component failures could cost up to £5000 and refurbishment after 15-20 years of use could cost up to £60,000. Service charge for the use of the lift could only be reasonably applied to the units above ground floor, splitting the cost between 5 units, however, if the scheme had to be reduced to facilitate the lift

because of the design impact on character and appearance of the development (i.e. less residential units) individual cost for each unit would inevitably increase.

In light of the above Officers consider, on balance, that it would be unreasonable to insist on the provision of a lift for this particular development, acknowledging that its delivery and the long-term sustainability (in terms of affordability) of the residential development could be unviable.

In respect of carbon dioxide emission reduction, any scheme has it be designed to achieve a CO2 reduction over Part L of the 2013 building regulations. Any level of reduction needs to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition would be attached in the event planning permission is granted to ensure compliance with the Policy.

In terms of water consumption, a condition would be attached to any scheme granted consent to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

Other matters

Environmental Health were approached for comment on the application and have raised no objections, subject to pre-commencement conditions requiring a 'Demolition and Construction Management and Logistics Plan' to control construction associated pollution / nuisance (i.e. dust, noise, vibration and odour); and, the submission of a scheme of proposed noise mitigation measures against externally generated traffic/mixed use to be approved in writing by the Local Planning Authority. The Local Planning Authority are of the view that these matters, reserved by pre-commencement condition, are reasonable to ensure the amenities of the future occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (2012).

5.4 Response to Public Consultation

A number of objections were received in response to the public consultation. The matters raised have been considered and address where possible in the above Officer assessment of the scheme.

Matters concerning highway safety for both vehicle users and pedestrians; and, the existing and proposed parking provisions have been thoroughly assessed by the Highways Authority and are considered to be acceptable. Several other internal and external technical consultees have been consulted on matters around trees, ecology/biodiversity, flood risk, pollution (noise, dust and air quality), contaminated land, and fire safety and none of the parties consulted have presented suitable grounds to inform sound reasons for the applications refusal.

Each application is assessed on its own individual merits, and thus, the risk of setting a precedence is not a material reason for refusal. Similarly, the loss of house value; negative impact on community spirit and neighbourly relationships, as result of the development's construction are not material planning reasons that can be afforded weight in this assessment.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

